

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE**

**CIVIL ACTION NO. :  
06-CV-00213**

**PETITION OF EULAH MCGRATH, LLC FOR EXONERATION FROM, OR  
LIMITATION OF, LIABILITY**

**ORDER DIRECTING ISSUANCE OF NOTICE AND RESTRAINING SUITS**

A petition having been filed herein by the above named petitioner as owner of the Fishing Vessel EULAH MGRATH, for exoneration from and/or limitation of liability, pursuant to sections 4283 through 4289 of the Revised Statutes of the United States, Title 46 U.S.C. Secs. 183 seq. and Rule F of the Supplemental Rules of Civil Procedure for any loss, damage, injury or destruction caused by or resulting from the loss of the F/V EULAH MCGRATH during the voyage of the F/V EULAH MCGRATH which commenced on or about April 16, 2006 at Newington, New Hampshire and terminated on April 19, 2006 at Newington, New Hampshire, as more fully described in the Petition.

Now on motion of Holbrook & Murphy, Attorneys for the petitioner, it is hereby ORDERED as follows:

1. A Notice shall be issued by the Clerk of this court to all persons asserting claims with respect to which the Petition seeks limitation admonishing them to file their respective claims with the Clerk of this Court in writing, and serve on the attorneys for the petitioner a copy thereof on or before the 6<sup>th</sup> day of <sup>December</sup> 2006 or be defaulted, and that if any claimant desires to contest either the right to exoneration from or the right to limitation of liability, he shall file and serve on attorneys for the petitioner an answer to the Petition so designated, or be defaulted.

2. The aforesaid Notice shall be published in The Portsmouth Herald as provided by Rule F(4) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure and copies of said notice shall be mailed in accordance with the said Rule F(4).

3. The further prosecution of any and all actions, suits, and proceedings already commenced and the commencement of prosecution thereafter of any and all suits, actions, or proceedings, of any nature and description whatsoever in any jurisdiction and the taking of any steps and the making of any motion in such actions, suits, or proceedings against the petitioner, as aforesaid, or against the F/V EULAH MCGRATH or against any property of the petitioner except in this action, to recover damages for or in respect of any loss, damage, injury or destruction caused by or resulting from the aforesaid loss, occasioned or incurred on the voyage of the F/V EULAH MCGRATH as alleged in the petition are hereby stayed and restraining until the hearing and determination of this proceeding.

4. Service of this Order as a restraining order may be made through the Post Office by mailing a conformed copy thereof to the person or persons to be restrained or to the respective attorneys or alternatively by hand.

/S/ JAMES R. MUIRHEAD

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UNITED STATES MAGISTRATE JUDGE

Dated at Concord, New Hampshire  
this 27th day of September 2006.